

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Barry Harris,

Plaintiff

v.

Christopher Pena, et al.,

Defendants.

Case No.: 2:23-cv-00563-JAD-NJK

**Order Certifying that Plaintiff's  
Appeal Is Not Taken in Good Faith**

[ECF No. 11]

On October 23, 2023, I screened Plaintiff Barry Harris's first amended complaint and dismissed the complaint with prejudice.<sup>1</sup> Plaintiff appealed my order, and the Ninth Circuit has referred the case for the limited purpose of determining whether *in forma pauperis* status should continue for this appeal or whether the appeal is frivolous or taken in bad faith.<sup>2</sup>

I hereby certify that Harris's *in forma pauperis* appeal from my screening order is not taken "in good faith" under 28 U.S.C. § 1915(a)(3). The Clerk of Court is directed to **FORWARD** a copy of this order to the Clerk of Court for the United States Court of Appeals for the Ninth Circuit (reference Case No. 23-3195).

Dated: November 27, 2023

  
U.S. District Judge Jennifer A. Dorsey

<sup>1</sup> ECF No. 6.

<sup>2</sup> ECF No. 11.